IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Bail Appl..No. 6931 of 2006()

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CRIME NO.331/06 OF ADIMALY POLICE STATION.
CRL.M.C.1294/06 OF SESSIOINS COURT, ERNAKULAM.

: PETITIONER:

UNUS, S/O. MUHAMMED,
NEDUNGAT HOUSE, KOTHAMANGALAM.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
ADIMALY POLICE STATION, ADIMALY.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 6931 OF 2006

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DATED THIS THE 1ST DAY OF DECEMBER, 2006

O R D E R

This application for anticipatory bail is filed by the petitioner who is the accused in Crime No.331/06 of Adimaly Police Station for an offence punishable under section 379 IPC in respect of a gas cylinder. The petitioner was actually granted anticipatory bail by the learned Sessions Judge, Ernakulam as per order dated 1.11.2006 in Crl.M.C.No.1294/06. The grievance of the petitioner is that when the petitioner surrendered before the Police Officer in compliance of the said order, he was not permitted to execute the bail bond and he was threatened that there are other cases against the petitioner.

2. In view of this grievance voiced by the counsel for the petitioner, the learned Public Prosecutor was requested to ascertain the matter from the SHO concerned and he has submitted that there is no other crime registered against the petitioner. If so, there is no reason why the petitioner should not be permitted to avail the benefit of the order passed by the learned Sessions Judge.

3. Accordingly, the petitioner is permitted to surrender before the Sub Inspector of Police, Adimaly on any day between 4.12.2006

and 6.12.2006 and thereupon he shall be released on bail as directed in the order of the learned Sessions Judge and on the same conditions. The bail shall be in force for a period of two months after which the petitioner shall seek regular bail from the concerned Magistrate.

V.RAMKUMAR,JUDGE.

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